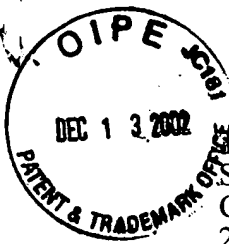


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The undersigned certifies that this communication is being deposited with the United States Postal Service as prepaid first class mail in an envelope addressed to Commissioner of Patents and Trademarks, Washington, D.C. 20231 on December 9, 2002.

  
Diane Dunn McKay

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE


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In re Application of  
Ijiri, Y. et al.

Serial No. 09/705,351

Filed: November 3, 2000

For: VERTICAL HEAT EXCHANGER:  
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Group Art Unit: 3743  
Examiner: Atkinson, C. M.

9/a  
  
12-18-02

Commissioner for Patents  
Washington, D.C. 20231

SIR:

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**AMENDMENT**

In response to the Office Action dated September 11, 2002, please amend the application as follows:

In the Claims:

Please amend claims 1, 9 and 12 as follows:

1. (Amended) A vertical heat exchanger comprising:

a pair of a first fluid passing ports for flowing through a tube;

a pair of a second fluid passing ports for flowing through a shell;

A'  
a vent pipe at least part of one end of which being made of an upper tube sheet part and the other end of which connected outside the heat exchanger to an immediately adjacent second fluid passing port passing the same fluid as the vent pipe; and / or